

1 [Safe Consumption Sites - Behested Payment Waiver]

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3 **Resolution authorizing the Mayor, officers and employees of the Office of the Mayor,**
4 **and officers and employees of the Department of Public Health to solicit donations to**
5 **support the opening and operation of safe consumption sites from various private**
6 **entities and foundations, notwithstanding the Behested Payment Ordinance.**

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8 WHEREAS, San Francisco is experiencing a fatal drug overdose epidemic that has
9 claimed the lives of nearly 1,900 San Franciscans since January 2020; and

10 WHEREAS, To address this crisis, many private organizations that provide services to
11 people with substance use disorders are exploring innovative ways to prevent overdose
12 deaths, including opening safe consumption sites, which are places where people can use
13 preobtained drugs safely; and

14 WHEREAS, Nearly 200 safe consumption sites operate around the world, including
15 two in New York City that have been operated by the non-profit organization OnPoint NYC for
16 over a year; and

17 WHEREAS, These safe consumption sites have been proven to save lives, reduce
18 crime in the surrounding area, and improve overall street conditions; and

19 WHEREAS, Since the opening of its sites, OnPoint NYC has reversed over 700
20 overdoses, registered over 2,300 participants, and prevented nearly 1.5 million units of
21 hazardous waste from entering the community; and

22 WHEREAS, It costs OnPoint NYC roughly \$1.4 million dollars annually to offer safe
23 consumption services at its sites, and OnPoint NYC has raised that money through private
24 donations and foundation funding; and

1 WHEREAS, The Department of Public Health and the Office of the Mayor both partner
2 with numerous nonprofit organizations, grantmakers, and foundations, often through contracts
3 or grant agreements; and

4 WHEREAS, The Mayor and the Department of Public Health seek a waiver of the
5 City’s Behested Payment Ordinance (Campaign and Governmental Conduct Code, Section
6 3.600 et seq.) to the extent it restricts the Mayor and officers and employees of the Office of
7 the Mayor and Department of Public Health from soliciting financial support from entities that
8 would be considered interested parties to support local non-profits to operate safe
9 consumption sites; now, therefore, be it

10 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct
11 Code, the Board of Supervisors hereby waives application of the Behested Payment
12 Ordinance as to the Mayor and officers and employees of the Office of the Mayor and the
13 Department of Public Health so that they may solicit donations from private organizations,
14 grantmakers, and foundations to support the opening and operation of safe consumption sites
15 by local non-profits in San Francisco; and be it

16 FURTHER RESOLVED, That granting this waiver serves the public interest by
17 preventing and reducing overdose deaths, reducing criminality in areas surrounding the sites,
18 and improving overall street conditions; and, be it

19 FURTHER RESOLVED, That granting this waiver does not create an appearance of
20 impropriety.



City and County of San Francisco

**Tails
Resolution**

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 230074

Date Passed: March 21, 2023

Resolution authorizing the Mayor, officers and employees of the Office of the Mayor, and officers and employees of the Department of Public Health to solicit donations to support the opening and operation of safe consumption sites from various private entities and foundations, notwithstanding the Behested Payment Ordinance.

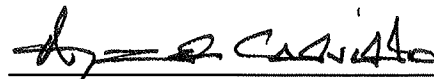
March 15, 2023 Budget and Finance Committee - RECOMMENDED

March 21, 2023 Board of Supervisors - ADOPTED


Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230074


I hereby certify that the foregoing Resolution was ADOPTED on 3/21/2023 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor



Date Approved